

Message Text

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COMMERCE:J SEVER
ARA/CEN:R GRAHAM
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-----090115 240152Z /73

R 231959Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY TEGUCIGALPA

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E.O. 11652: N/A

TAGS: EINV, HO

SUBJECT: LESLIE FREY EXPROPRIATION CLAIM
AGAINST GOH

REF: TEGUCIGALPA 2557

1. INTERAGENCY GROUP ON EXPROPRIATIONS (EXPRO GROUP)
REVIEWED FREY CLAIM ON JUNE 22. THE GROUP QUESTIONED
EMBASSY VIEW THAT FREY HAD NO PRACTICAL OR LEGAL BASIS ON
WHICH TO CLAIM EXPROPRIATION (SEE REFTTEL), NOTING HISTORY
OF FORCED SALES IN OTHER COUNTRIES GIVING RISE TO VALID
EXPROPRIATION CLAIMS. HOWEVER, GROUP CONCLUDED THAT ADDI-
TIONAL INFORMATION WOULD BE REQUIRED BEFORE THEY COULD
MAKE A FINAL DETERMINATION ON THE FREY CASE.

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2. GROUP WOULD APPRECIATE DETAILS ON THE EXPERIENCES OF
OTHER US AND FOREIGN INVESTORS REQUIRED TO SELL THEIR
ASSETS UNDER DECREE LAW 103. SPECIFICALLY: HOW MANY
OTHER SAW MILL OWNERS WERE SATISFIED WITH SALES PRICES OB-
TAINED FOR THEIR ASSETS? WHAT NATIONALITY WERE THEY? DID
THE HONDURAN GOVERNMENT OR COHDEFOR OFFER TO PURCHASE THE
ASSETS OF FIRMS WHICH COULD NOT FIND PRIVATE HONDURAN

BUYERS? WHAT HAPPENED TO THE ASSETS OF FIRMS WHICH DID NOT SELL? HOW MANY SUCH FIRMS WERE THERE? OF WHAT

NATIONALITY? IS THE EMBASSY AWARE OF OTHER FIRMS (US OR FOREIGN) CLAIMING GOH EXPROPRIATION UNDER THE LAW? IF SO, WHAT IS THE STATUS OF THESE CLAIMS?

3. OUR FILES ON THE FREY CASE ITSELF ARE ALSO INCOMPLETE. WE UNDERSTAND THAT FREY SOLD HIS MACHINERY AND EQUIPMENT, BUT WHAT HAPPENED TO HIS LAND AND BUILDINGS? DID FREY HAVE TITLE TO THE LAND? IF SO, IS IT STILL IN HIS NAME? CAN EMBASSY OBTAIN PROFIT/LOSS STATEMENTS AND/OR BALANCE SHEETS FOR FREY'S FIRM? DOES THE MILL CONTINUE TO OPERATE? WHY DID FREY HAVE SO MUCH DIFFICULTY RETAINING A LAWYER?

4. WE REALIZE THAT OBTAINING MEANINGFUL ANSWERS TO QUESTIONS IN PARA 3 MAY BE PARTICULARLY DIFFICULT. HOWEVER, WE WOULD APPRECIATE YOUR BEST EFFORTS AS SENATOR LOWELL WEICKER IS INTERESTED IN THE CASE. CHRISTOPHER

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